

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA,
Plaintiff,

v.

ONE 1997 MERCEDES BENZ E320,
VIN# WDBJF55F3VA403016,
and
\$10,219.00 U.S. CURRENCY,
Defendants.

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CIVIL ACTION NO. JFM-02-2981

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MOTION FOR FINAL ORDER OF FORFEITURE

The United States of America, by and through undersigned counsel, hereby moves for entry of an order of forfeiture, and in support of such motion states the following:

1. The Verified Complaint for Forfeiture of the defendant property, which, the government submits, sets forth probable cause for the forfeiture of the defendant property, was filed on or about September 6, 2002.

2. On or about September 17, 2002, the United States Marshal arrested, or executed process on, the defendant property.

3. As the Verified Complaint sets forth, the property was seized from Tonyetta Newman. On or about July 11, 2003, Tonyetta Newman and the government agreed to disposition of the defendant property. A copy of the settlement agreement is annexed hereto as Exhibit A. According to the agreement, the government agrees to release the defendant \$10,219 to the claimant, by check made payable to Jeffrey N. Pritzker, Esquire.

4. The claimant agrees to forfeit her interest in the defendant 1997 Mercedes Benz E320 to the government.,

5. On or about September 25 and 28, 2002, notice of the pendency of this case was published in The Baltimore Sun and The Afro American, newspapers of general circulation in Baltimore City, Maryland, pursuant to Rule C of the Supplemental Rules For Certain Admiralty and Maritime Claims. A copy of the advertising certification and Declaration Regarding Circulation, is attached hereto as Exhibit B.

6. No other claimant has come forward within the time allotted by law for the filing of claims, which is within thirty (30) days of the date of publication. 18 U.S.C. section 983 (a) (4) (A).

WHEREFORE, the United States of America respectfully requests that the Court enter judgment for the United States of America under the terms and conditions of the draft order submitted herewith for the convenience of the Court.

Respectfully submitted,

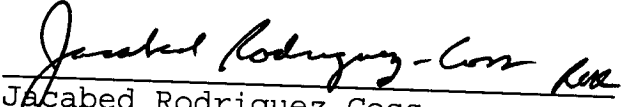
Thomas M. DiBiagio
United States Attorney

Jacabed Rodriguez-Coss /RCC
Jacabed Rodriguez-Coss
Assistant United States Attorney
6625 United States Courthouse
101 West Lombard Street
Baltimore, Maryland 21201-2692
Telephone (410) 209-4800

7-16-03
Date

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 16th 2003, a copy of the foregoing Motion for Final Order of Forfeiture was mailed first class, postage prepaid to Jeffrey N. Pritzker, Esquire, Margolis, Pritzker, Epstein, P.A., Suite 100, 403 E. Joppa Road, Towson, Maryland 21286.



Jacobed Rodriguez-Coss
Assistant United States Attorney

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FINAL ORDER OF FORFEITURE

IT IS ORDERED, ADJUDGED, AND DECREED on this ____ day of
July 2003 that:

1. The United States of America has provided constructive notice by publication of the pendency of this forfeiture action;

2. The time for the filing of any claim to contest this forfeiture has expired, and no claim has been filed;

3. The United States of America has shown that there was reasonable cause for the seizure of the defendant property under 28 U.S.C. section 2465;

4. \$10,219 of the defendant property shall be released to the claimant, in accordance with the Settlement Agreement attached to the government's motion. The remaining defendant property is condemned and all rights, title, and interest of Tonyetta Newman, and any and all other persons is **HEREBY FORFEITED** to the United States of America.

5. The United States Marshals Service shall dispose of the defendant property in accordance with law and in accordance with the agreement annexed to the government's motion.

6. The clerk of the court shall provide copies of this order to counsel of record.

J. Frederick Motz
United States District Judge